

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:07-CR-127
	)	(Varlan /Guyton)
ANTHONY LAWRENCE and	)	
DASINEY MCILWAINE,	)	
	)	
Defendants.	)	

**ORDER**

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. On March 12-13, 2008, the Court conducted a hearing on the motions to suppress evidence filed by the defendants [Docs. 20 and 22]. At the close of the hearing, the parties did not present oral argument, but requested leave to file post-hearing briefs. Leave was granted and a date for filing briefs was set for March 27, 2008. Thereafter, the defendants jointly moved to extend the date [Doc. 50]. The Court granted this request and set April 3, 2008 as the new date for filing [Doc. 52]. The government filed its brief on April 3, 2008 [Doc. 53]. The defendants did not file a brief.

The Court finds that oral argument was not heard in this matter at the close of the hearing so that counsel could make written argument in the post-hearing briefs. The defendants, however, have not filed briefs, and therefore, have not argued the suppression motions to the Court. Rather than find that the defendants have waived their oral argument, the Court hereby **ORDERS** the defendants to file written notice, on or before **May 9, 2008** as to whether they want to present oral

argument, or if they waive oral argument. When that question is resolved, either through argument or waiver, the Court will consider the motion ripe and take it under advisement for a ruling at that time.

**IT IS SO ORDERED.**

ENTER:

s/ H. Bruce Guyton  
United States Magistrate Judge